

Order

Michigan Supreme Court
Lansing, Michigan

December 26, 2025

Megan K. Cavanagh,
Chief Justice

ADM File No. 2019-40

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

Proposed Adoption of Administrative Order No. 2026-X, Proposed Rescission of Administrative Order No. 2012-7, and Proposed Amendments of Rules 2.407 and 8.110 of the Michigan Court Rules

The Court, having given an opportunity for comment in writing and at a public hearing, again seeks public comment regarding a proposal administrative order regarding a judicial officer's ability to appear remotely. The Court has revised the [original proposal](#) and is interested in receiving additional comments on this revised proposal.

On order of the Court, this is to advise that the Court is considering an adoption of Administrative Order No. 2026-X, rescission of Administrative Order No. 2012-7, and amendments of Rules 2.407 and 8.110 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the [Public Administrative Hearings](#) page.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Administrative Order No. 2026-X – Adoption of Administrative Order Regarding a Judicial Officer's Remote Appearance

In accordance with this administrative order, judicial officers may preside remotely, as provided by the applicable court rules governing the use of videoconferencing, in any proceeding that does not require the judicial officer's in-person presence. A judicial officer must not preside over their docket from a remote location that is geographically further than either their in-district residential address or 30 miles from the courthouse where the proceeding would take place if in person, unless: (1) the judicial officer is experiencing an emergency or (2) the parties have all agreed to attend a proceeding that is specifically scheduled while the judge is out of the office on vacation or out of the office for a reason stated in MCR 8.110(D)(3)(a)-(e).

Unless the judicial officer is out of the office for an emergency or a reason set forth in

MCR 8.110(D)(3)(a)-(e), the judicial officer must also maintain the ability to comply with in-person requests pursuant to MCR 2.407(B)(4) without unreasonable delay or change to a different judicial officer. Any delay that is attributed to the judicial officer's physical location at the time of a request may be considered unreasonable.

The judicial officer who presides remotely must

- (1) be physically located in Michigan,
- (2) preside from a location that is free of personal distractions,
- (3) preside from a location that the judicial officer reasonably believes to have a reliable internet connection that will support remote proceedings,
- (4) have their videoconferencing camera on at all times during the proceeding,
- (5) display the flags of the United States and Michigan as provided in MCR 8.115(A), and
- (6) wear a black robe if they are a judge or if required by court rules, statute, or their chief judge.

For purposes of this administrative order, the judge may display digital representations of the United States and Michigan flags adjacent to the judge.

A judicial officer's remote participation is subject to the court's ability to produce a suitable recording of the proceeding for purposes of preparing a verbatim transcript in accordance with the Michigan Court Rules.

The State Court Administrative Office must report periodically to this Court regarding its assessment of judicial officers presiding remotely. Courts must cooperate with the State Court Administrative Office in monitoring the remote participation of judicial officers in court proceedings.

For purposes of this order:

- “Videoconferencing” means that term as defined in MCR 2.407.
- A “judicial officer” includes judges, district court magistrates, and referees.
- “Emergency” is defined as the judicial officer needing to tend to personal or family health emergencies which last less than five business days.

Rule 2.407 Videoconferencing

(A)-(D) [Unchanged.]

(E) ~~Notwithstanding any other provision in this rule, until further order of the Court, AO No. 2012-7 is suspended.~~

Rule 8.110 Chief Judge Rule

(A)-(B) [Unchanged.]

(C) Duties and Powers of Chief Judge.

(1)-(2) [Unchanged.]

(3) As director of the administration of the court, a chief judge shall have administrative superintending power and control over the judges of the court and all court personnel with authority and responsibility to:

(a)-(b) [Unchanged.]

(c) determine the hours of the court and the judges; coordinate and determine the number of judges and court personnel required to be present at any one time to perform necessary judicial administrative work of the court, and require their in-person or remote presence to perform that work;

(d)-(i) [Unchanged.]

(4)-(9) [Unchanged.]

(D) [Unchanged.]

Staff Comment (ADM File No. 2019-40): Proposed Administrative Order No. 2026-X would clarify when, from where, and how a judicial officer may participate remotely. A related proposed amendment of MCR 2.407 would strike a reference to Administrative Order No. 2012-7 being suspended, and that administrative order would be rescinded. The proposed amendment of MCR 8.110 would authorize chief judges to require a judge's in-person or remote presence to perform work.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be submitted by April 1, 2026 by clicking on the “Comment on this Proposal” link under this proposal on the [Court’s Proposed & Adopted Orders on Administrative Matters](#) page. You may also submit a comment in writing at P.O. Box 30052, Lansing, MI 48909 or via email at ADMcomment@courts.mi.gov. When submitting a comment, please refer to ADM File No. 2019-40. Your comments and the comments of others will be posted under the chapter affected by this proposal.



I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 26, 2025


Elizabeth Kingston-Miller
Clerk